

IN The united states District court  
for the western District of Pennsylvania

Richard A. Hammonds  
Pro-se Plaintiff

Civil Action, no: 10-444

vs

OFFICER RANDY JUSTICE, OFFICER KOWAC, OFFICER MAXWELL, OFFICER PRADAL  
OFFICER EDWARDS, OFFICER YOUNG, OFFICER CHARNISTER, OFFICER HOLLOWAY, OFFICER  
WILLIAM FRANCIS, OFFICER BEST, Sgt Andrew Coulter, Warden Ramon Rustin  
OFFICERS John Doe, John Doe, John Doe, John Doe, Chief Executive Dan

1 This is a civil Action authorized by 42 U.S.C. Section 1983 to redress  
The deprivation, under color of state law, of rights secured by the  
constitution of the United States. The court has jurisdiction under  
28 U.S.C. Section 1331 and 1343 (A)(3) plaintiff seeks declaratory  
relief pursuant to 28 U.S.C. Section 2201 and 2202, plaintiffs  
claims for injunctive relief are authorized by 28 U.S.C. Section  
2283 and 2284 and Rule 65 of the Federal Rules of Civil  
procedure.

2 The western District of Pennsylvania is an appropriate venue under  
28 U.S.C. section 1391 (B)(2) because it is where the events giving rise  
to this claim occurred

3 The plaintiff Richard Allen Hammonds is and was at all times mentioned  
herein a prisoner of the <sup>County</sup> ~~state~~ of Allegheny County Jail He is currently  
confined in SCI-DALLAS in Dallas, Pennsylvania.

4 Defendant Dan Accanto is the Chief Executive of the Allegheny County  
Jail. He is legally responsible for the overall operation of the department  
and each institution under its jurisdiction, including Allegheny County Jail.

5 Defendant Warden Ramon Rustin is the Warden of Allegheny County Jail  
He is legally responsible for the operation of the Allegheny County Jail  
and for the welfare of all the inmates at that prison.

6 Defendant Randy Justice, Kowac, Maxwell, Pradal, Edwards, Young, Charnister,  
Holloway, William Francis, Best, Sgt Andrew Coulter, John Doe, John Doe,  
John Doe, John Doe is Correctional officers of the Allegheny County

2

who at all times mentioned in this complaint held the rank of county officers and Sgt and was assigned to the Allegheny County.

7. Each defendant is sued individually and in his official capacity. at all times mentioned in this complaint each defendant acted under the color of state law.

8. On July 4, 2009 shortly after 2:00 pm county officer Randy Justice and John Doe came to cell 207 on pod 6-B for routine cell search officer Justice order inmate Hammonds out of the cell, stating an reliable witness informed C/O Justice that inmate had a shank "home-made knife" upon officer Justice entering the cell Hammonds and Justice had an disagreement. officer then order inmate into the sea cell for an strip search calling inmate an nigger Hammonds follows officer's instruction entering the cell officer Justice states "talk that shit now nigger" inmate states "fuck you pussy cracker take me to the hole" Justice forcefully grabs inmate's neck and twist his <sup>left</sup> arm behind his back inmate pushes Justice hand and states "man don't take me to the hole cuz" Justice then grabs inmate's neck and twist his left arm again thus causing pain the savagely bite's him on his left hand at that time Hammonds screams and out of reflex punches Justice repeatedly in the face until he let's go of inmate hand from the pit of his mouth officer John Doe hears the unusual commotion intervenes and cease the commotion Hand cuffs inmate and escorts him to Sally port on a level 6-B pod. And calls Sgt Coulter.

9. Sgt Andrew Coulter and officer Kovac enters the Sally port Kovac states "are you Richard Hammonds" inmate states "yes sir" Sgt Coulter states "you done fucked up now nigger" both officers enters the pod. Sgt Coulter asks officer Justice "do you want me fear me with this nigger boy" Justice states "yes" Sgt Coulter orders John Doe to watch the pod while we "Justice, Kovac, Sgt Coulter, and inmate Hammonds" go handle some unfinished business" Coulter, Justice, & Kovac enters the Sally-port Sgt Coulter states "you done fucked up now nigger" then escorts inmate down level 6 hallway passing the elevator to get up to level 9 Dittu inmate states "man what the fuck is going on man don't take me to the hole cuz".....

3

Justice State's "payback time nigger" Hummonds. State's "fuck you talking about bitch you started it when you bit me" Kovac States "and now where going to finish it" and there's more who level to interview room and State's "I am going to take these hand cuffs off when I do place your hands on the wall and don't move or I'm going to beat the life out of you putting you back in a monkey's place" inmate complies with instructions. Sgt Coulter States "go ahead Justice fuck him up" Justice States "turn around bitch" inmate turns Justice throws a punch inmate dips it with ease Justice throws another one inmate dips that one also Sgt Coulter States "come on Justice don't let this nigger win" Justice then rushes Hummonds tucking him to the ground Sgt Coulter & Kovac breaks it up Coulter States "Round two" officer Justice then throws another punch connecting to inmates face inmate becomes very upset and punches Justice knocking him to the ground Coulter or Kovac strikes inmate from behind knocking him to the ground and all three officers punch and kick inmate near unconsciousness. Splitting Hummonds lip almost half way off hand cuffs him and escorts him to Dlu.

10 while being stripped searched inmate asks Kovac and John Doe for medical both officers declines inmate's request deliberately hand cuffs him and escorts him to Cell 206 on 2-E Dlu leaves him there with out contacting medical on July 4 2002 11 to 7 shift does Regular Count inmate ask officer Francis for medical officer States "fuck you nigger should've never hit my friend" inmate States "man fuck all the small talk bitch look at my face cuz I need medical" officer Francis States "yeah what ever" walks away without contacting medical doing 2:30 Count an officer John Doe does count inmate ask for medical but was denied deliberately all through the night

11 July 5<sup>th</sup> 2002 Sunday officers come on the pod inmate Shop's Edwards and Says "Yo man I need medical I am in sever pain" officer Justice Edwards States "what the fuck happened to you where were you at some where in Iraq" inmate States "ask your pussy cracker friends nigga just get me medical" Edwards States "Sorry no curre do it comes from the higher ups he says not to do anything for you" walks away denying him medical.

4

At 9am officer pendal does not want Hammonds ask him for medical officer denies him deliberately at 10 am nurse Mrs Trish Doo daily  
 300 call walk through witnesses some Hammonds bruises tell C/O pendal  
 "this man needs medical" pendal states "yes ma'am we will send him down  
 once we get an exam" nurse trish leaves the block pendal states "  
 "when her fingers were" several officers doing Sunday July 5 2009 7 to 3  
 shift denies inmate medical repeatedly and deliberately all through 2<sup>nd</sup>  
 shift.

12 3 to 11 shift comes on officer Maxwell does want inmate states "ya cuz  
 I need to see medical please I've been in severe pain all night and all  
 day C/O Maxwell states "so what nigger should've never hit justice" all  
 through out the 3 to 11 shift denied medical 11 to 7 shift guards comes on  
 and deliberately denies medical also all through out the night.

13 July 6 2009 Monday 7 to 3 shift internal affairs caption POFI  
 Detective John Doe interviews Hammonds asks him to write a brief description  
 document on the facts of what happened July 4, 2009 take pictures  
 split lip, bite mark on left hand order's guards on 7 to 3 shift (young) to  
 take inmate to medical where nurse John Doe and John Doe treats inmates  
~~bruise's~~ bruise's and informs guards that "these bruises should've been looked at  
 48 hours ago" sends him to outside hospital for further examination  
 where they prescribed him antibiotics and Ibuprofen and some morphine  
 wish send inmate back to county jail end of complaint

14 upon information and belief the internal affairs for the Allegheny  
 county jail has pictures of the bruises bruise's and video camera  
 camera of the whole incident of July 4<sup>th</sup> 2009 caption POFI  
 is the man in charge of that

15 plaintiff Hammonds ~~used~~ attempted to use the prisoner grievance  
 system but was denied deliberately by officer Maxwell on  
 July 4 2009 (inmate) plaintiff Hammonds tries numerous times  
 but was denied

5

16. plaintiffs Reellege and incorporate by reference paragraphs 1-15.

17. The Excessive force, racial discrimination, denial of medical care, Deliberate indifference, recklessness, cruel and unusual punishment, official retaliation, and fundamental fairness violated plaintiff Richard Hammonds' rights and constituted cruel and unusual punishment, a due process violation under the Eighth or Fourteenth amendment to the United States constitution.

18. the plaintiff has no plain, adequate or complete remedy at law to redress the wrongs described herein. plaintiff has been and will continue to be irreparably injured by the conduct of the defendants unless this court grants the declaratory and injunctive relief which plaintiff seeks.

Wherefore, plaintiff respectfully prays that this court enter judgement granting plaintiffs:

19. A declaration that the acts and omission described herein violated plaintiff's rights under the constitution and laws of the United States.

20. A preliminary and permanent injunction ordering defendants Sgt Andrew Coulter, Randy Justice and Et. Al., to stop harrassing inmate Hammonds every chance he go to the county Jail on writ.

21. Compensatory damages in the amount of \$850,000 against each defendant, jointly and severally.

22. Punitive damages in the amount of \$850,000 against each defendant.

76

23. A jury trial on all issues triable by jury.

24. plaintiff's cost in this suit

25. any additional relief this court deems just, proper, and equitable.

26. Date: MAY 31, 2009

*Richard Hammonds Jr.*

Richard Hammonds JR

Respectfully Submitted

Richard Allen Hammonds JR. JO8826

Sci-DALLAS

1000 Follies Road

Dallas Pennsylvania 18612-0286

I have read the foregoing complaint and hereby verify that the matters alleged therein are true, except as matters alleged on information and beliefs and as to these I believe them to be true. I certify under penalty of perjury that the foregoing is true and correct.

Executed at Dallas PA on June 1, 2009

*Richard Hammonds*

Richard Hammonds JR

JO 8826

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1000 Follies Road

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